



042104

17712 U.S. PTO

BEST AVAILABLE COPY

22390 U.S. PTO
10/828623

042104

CHOATE, HALL & STEWART

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

EXCHANGE PLACE

53 STATE STREET

BOSTON, MASSACHUSETTS 02109-2804

TELEPHONE (617) 248-5000 • FAX (617) 248-4000

WWW.CHOATE.COM

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

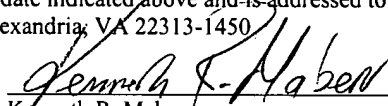
Express Mail No.: EV 314104732 US
Attorney Docket No.: 2004117-0008
(NEMC 197-DIV)
Date Filed: April 21, 2004

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV 314104732 US

Date of Deposit: April 21, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as "*Express Mail Post Office to Address*" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Kenneth R. Maben

Typed or printed name of person signing

UTILITY PATENT APPLICATION TRANSMITTAL

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

Inventor(s):

Given Name (first and middle) Family Name or Surname Residence

Daniel B.	Carr	935 Hammond Street Chestnut Hill MA 02467
Andrzej W.	Lipkowski	Symfonii Street 4 Apt. 47 Warsaw 02786, Poland
Richard	Kream	22 Parkview Terrace Huntington NY 11743
Aleksandra	Misicka-Kesik	Krasinkiego Street 22 Piastow 05820, Poland

Title of the Invention **NOVEL CHIMERIC ANALGESIC PEPTIDES**

A) APPLICATION ELEMENTS:

1) ☐ **Fee Transmittal Form** (original and duplicate submitted for fee processing)

2) ☒ **Applicant Claims Small Entity Status** (see 37 CFR §1.27)

a) ☐ Statement Verifying Small Entity Status

3) ☒ **Specification**

TOTAL PAGES: 31

- Field of the Invention
- Background of the Invention
- Summary of the Invention
- Brief Description of the Drawings
- Detailed Description of the Invention
- Claim(s)
- Abstract of the Invention (1 page)

4) ☒ **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 11

a) ☐ Formal Drawings (if checked)

5) ☒ **Oath or Declaration**

TOTAL PAGES: 4

a) ☐ Newly Executed (original or copy)

b) ☒ Copy from a prior application (37 C.F.R. § 1.63(d))-for
continuation/divisional application (**Note change of Power of Attorney
pursuant to Revocation of Powers of Attorney and Appointment of Attorney
filed 02/05/2002 in parent application, a copy of which is provided in item
17) c) below**)

c) ☐ Unexecuted

6) ☐ **Application Data Sheet.** See 37 CFR 1.76.

7) ☐ **CD-ROM or CD-R in duplicate, large table or Computer Program
(Appendix)**

8) ☐ **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are
necessary)

a) ☐ Computer Readable Form (CRF)

b) ☐ Specification Sequence Listing on:

i) ☐ CD-ROM or CR-R; or

- ii) ☐ Paper
- c) ☐ Statements verifying identity of above copies
- d) ☐ Amendment Introducing Sequence Listing

B) ACCOMPANYING APPLICATION PARTS:

9) X **Assignment Papers**

- (a) Copies of Notice of Recordation of Assignment (1 pg), Recordation Sheet (1 pg) and Assignment of Inventor **Daniel B. Carr** to **New England Medical Center Hospitals, Inc.** (2 pp) from parent application;
- (b) Copies of Notice of Recordation of Assignment (1 pg), Recordation Sheet (1 pg) and Assignment of Inventor **Richard Kream** to **New England Medical Center Hospitals, Inc.** (2 pp) from parent application;
- (c) Copies of Notice of Recordation of Assignment (1 pg), Recordation Sheet (1 pg) and Assignment of Inventor **Andrzej W. Lipkowski** to **Medical Research Center of the Polish Academy of Sciences** (2 pp) from parent application;
- (d) Copies of Notice of Recordation of Assignment (1 pg), Recordation Sheet (1 pg) and Assignment of Inventor **Aleksandra Misicka-Kesik** to **Medical Research Center of the Polish Academy of Sciences** (2 pp) from parent application; and
- (e) Copies of Notice of Recordation of Assignment (1 pg), Recordation Sheet (1 pg) and Assignment of **Medical Research Center of the Polish Academy of Sciences** to **New England Medical Center Hospitals, Inc.** (2 pp) from parent application.

10) ☐ **37 C.F.R. § 3.73(b) Statement**

11) ☐ **Power of Attorney**

12) ☐ **English Translation Document** (if applicable)

13) X **Information Disclosure Statement (IDS)/PTO-1449** (3 pages)

14) X **Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§ 1.56, 1.97 and 1.98** (6 pages)

15) ☐ **Copies of IDS Citations**

16) X **Return Receipt Postcard (MPEP 503)** (specifically itemized)

16) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)

17) X **OTHER:** (if applicable, specified below)

- (a) Preliminary Amendment (7 pages)
- (b) Establishing Right of Assignee to Take Action (2 pages)
- (c) Revocation of Previous Powers of Attorney and Appointment of Attorney under 37 CFR § 3.71 (2 pages)
- (d) Notice Regarding Power of Attorney (2 pages)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in a preliminary amendment)

☐ CONTINUATION ☒ DIVISIONAL ☐ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 09/428,692
 FILED: OCTOBER 28, 1999
 EXAMINER: LANDSMAN, ROBERT S.
 GROUP/ART UNIT: 1647

FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY: THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

<u>09/428,692</u>	<u>October 28, 1999</u>	<u>Allowed</u>
Application Number	Filing Date	Status

PCT Applications designating the United States:

Application Number	Filing Date	Status
--------------------	-------------	--------

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

Application Number	Filing Date	Status
--------------------	-------------	--------

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

- X Applicant claims small entity status 37 CFR §1.27
- X A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith
- X The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number 03-1721.

Basic Filing Fee (<u>SMALL</u> Entity)	\$ <u>385.00</u>
Additional Fees:	
Total Number of Claims in excess of 20: (<u>0</u> -20) x \$ <u>18</u>	\$ <u>0.00</u>
Number of Independent Claims in excess of 3:(<u>0</u> - 3) x \$ <u>84</u>	\$ <u>0.00</u>
Multiple Dependent Claims (<u>No</u>):	\$ <u>0.00</u>
Total Filing Fee:	\$ <u>385.00</u>

F) CORRESPONDENCE ADDRESS:

X Customer Number: 24280

X Correspondence Address:

PATENT DEPARTMENT
Choate, Hall & Stewart
53 State Street
Exchange Place
Boston, MA 02109
Telephone: (617) 248-5000
Facsimile: (617) 248-4000

Respectfully Submitted,



Date: April 21, 2004

Nadège M. Lagneau, Ph.D.
Registration No. 51,908

PATENT DEPARTMENT
CHOATE, HALL & STEWART
53 State Street
Exchange Place
Boston, MA 02109
Telephone: (617) 248-5000
Facsimile: (617) 248-4000